

# Housing of the Working Classes (Ireland) Bill.

[AS AMENDED BY STANDING COMMITTEE A.]

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## ARRANGEMENT OF CLAUSES.

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### Clause.

1. Extension of period of repayment of loans.
2. Removal of limitation on borrowing powers.
3. Re-borrowing to pay off loans.
4. Application of dormant portion of Irish Suitors' Fund to purposes of Housing Acts.
5. Creation and application of Irish Housing Fund.
6. Orders of Local Government Board to have effect of Act.
7. Exercise of housing powers outside district.
8. Leases by local authority for building working class houses.
9. Remission and abatement of rates in certain cases.
10. Amendment of law as to closing and demolition orders.
11. Power to recover cost of demolition.
12. Amendment of Lands Clauses Act, 1845.
13. Power of bodies corporate, &c. to appropriate or grant land for housing purposes.
14. Donations for housing purposes.
15. Extension to certain towns of Part II. of Act of 1890.
16. Title of Act.
17. Interpretation of terms.
18. Commencement of Act.
19. Extent of Act.



## A

## B I L L

[AS AMENDED BY STANDING COMMITTEE A]

## TO

Provide further facilities for the erection of Houses for the Working Classes in Cities and Towns in Ireland. A.D. 1908.

**B**E it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

- 1.—(1) The maximum period which may be sanctioned as the period for which money may be borrowed by a local authority for the purposes of the Housing of the Working Classes Acts as defined by this Act shall be eighty years, and as regards money so borrowed eighty years shall be substituted for sixty years in section two hundred and thirty-eight of the Public Health (Ireland) Act, 1878, and the Public Works Commissioners shall make advances by way of loan to any local authority for the said purposes for such period (not exceeding eighty years) as may be sanctioned. Extension of period of repayment of loans.
- (2) The local authority shall not be required, during the two years immediately following the exercise of any borrowing powers for the purposes of the said Acts so defined as aforesaid, to pay off any portion of the principal moneys so borrowed by them, or to pay any money into a sinking fund for the redemption thereof.
2. Money borrowed for the purposes of the Housing of the Working Classes Acts as defined by this Act, whether borrowed before or after the passing of this Act, shall not be reckoned as part of the debt of the local authority for the purpose of the limitation on borrowing contained in section two hundred and thirty-eight of the Public Health (Ireland) Act, 1878. Removal of limitation on borrowing powers.

[Bill 268.]

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Re-borrow-  
ing to pay off  
loans.

3. In addition to any existing powers of borrowing for the purposes of the Housing of the Working Classes Acts, a local authority may, from time to time, without any consent of the Local Government Board, during the period which was fixed for the discharge of any loan raised by them under the said Acts, 5 borrow on the like security such amount as may be required for the purpose of paying off the whole or any part of such loan, or if any such loan has been repaid otherwise than by capital money, for re-borrowing the amount so repaid, and for the purpose of this section the expression "capital money" shall 10 be deemed to include any instalments, annual appropriations, and sinking fund, and proceeds of the sale of land or other property, but does not include money previously borrowed for the purpose of repaying a loan.

Application  
of dormant  
portion of  
Irish Suitsors'  
Fund to  
purposes of  
Housing  
Acts.

4.—(1) The Bank of Ireland shall, out of the fund of suitors 15 in the Supreme Court, upon the order of the Lord Chancellor, pay to the Commissioners of Public Works, for the purposes of the Housing of the Working Classes Acts as defined by this Act, the sum of eighty thousand pounds.

(2) The Accountant General of the Supreme Court of Judica- 20 ture in Ireland shall, on the order of the Lord Chancellor, out of the new two and a half per cent. Consols forming portion of the fund of suitors of the Supreme Court and standing to the credit of the general ledger account kept by him for dormant balances, transfer and pay to the Commissioner of Public Works, for the 25 purposes of the Housing of the Working Classes Acts as defined by this Act, Consols to the nominal value of one hundred thousand pounds.

(3) The said sums shall be invested by the said Commis- 30 sioners in any securities in which trustees are authorised by the Irish Land Act, 1903, to invest trust moneys, and the annual income of such investments shall be applied in the manner directed by this Act.

(4) The said Commissioners shall, on such transfer and 35 payment as aforesaid being made, forthwith sell such Consols so transferred at the price of the day and invest the proceeds thereof in any securities in which trustees are authorised by the Irish Land Act, 1903, to invest trust moneys, and the annual income of such investment shall be applied in the manner directed 40 by this Act.

(5) If it happens that the securities standing to the credit of the account of the suitors of the Supreme Court, together with the dividends thereon, are at any time reduced in value to a sum not sufficient to meet the demands on them and the said dividends, then the Treasury shall advance out of the Consolidated Fund or the growing produce thereof such sum as they may think necessary, not exceeding in the whole the amount which would be realised at the date of such demand as aforesaid by the sale of the securities transferred in pursuance of this section.

A.D. 1908.

10 5.—(1) The investments directed by section four of this Act shall form and are in this Act referred to as "the Irish Housing Fund."

Creation and application of Irish Housing Fund.

(2) For the purpose of allocating and paying the annual income of the Irish Housing Fund, the Local Government Board shall, prior to the first day of April in each local financial year, ascertain the sum which at the beginning of the next preceding local financial year each local authority was liable to repay for moneys borrowed by it after the passing of this Act for the purposes of the Housing of the Working Classes Acts as defined by this Act, and which at such date it had actually expended in pursuance of the said Acts, and thereupon the Commissioners of Public Works shall pay the said annual income to or amongst the local authorities in the manner following (that is to say): to each local authority which shall have become liable as aforesaid to repay moneys borrowed by it after the passing of this Act, and shall have actually expended the same as aforesaid for the purposes aforesaid, such sum as shall bear the same proportion to the amount of money so expended as the total amount of the said annual income during the said next preceding financial year shall bear to the total amount of money which, at the date of such ascertainment as aforesaid, local authorities in Ireland shall be liable to repay for moneys borrowed after the passing of this Act, and shall have actually expended for the purposes of the Housing of the Working Classes Acts as defined by this Act.

35 6.—(1) An Order of the Local Government Board under the Act of 1890—

Orders of Local Government Board to have effect of Act.

- (a) confirming an improvement scheme; or
- (b) sanctioning a reconstruction scheme and authorising the compulsory purchase of land for the purpose; or
- 40 (c) authorising the compulsory purchase of land for the purposes of Part III. of the Act of 1890;

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A.D. 1908. shall, notwithstanding anything in the Act of 1890 or in the Public Health (Ireland) Acts, 1878 to 1907, take effect without confirmation by Parliament or by the Local Government Board.

(2) For the purposes of the Act of 1890 or of the Public Health (Ireland) Acts, 1878 to 1907, as the case may be, the making of an Order by the Local Government Board which takes effect under this section without confirmation shall have the same effect as the confirmation of the Order by Act of Parliament or by the Local Government Board, and any reference to a Provisional Order made under those Acts, or any of them, shall include a reference to an Order which so takes effect without confirmation.

(3) For the purposes of this section section two hundred and three of the Public Health (Ireland) Act, 1878, shall have effect as if the words "in the month of November" were omitted from subsection two of that section, and as if the words "during the thirty days next following the date of the last publication of the advertisement" were substituted for the words "in the month of December" in that subsection, and as if the provisions relating to the giving of notices in the months of September and October or in the months of October and November were omitted from that section, and section seven of the Act of 1890 shall have effect as if the words "in the month of September or October or November" were omitted from paragraph (a) of that section, and as if the words "during the thirty days next following the date of the last publication of the advertisement" were substituted for the words "in the month of December" in paragraph (b) of that section.

(4) No writ of injunction, or prohibition, or other writ shall, under any pretence whatsoever, lie to prevent or restrain or tend to prevent or restrain the confirmation of such order as aforesaid.

Exercise of  
housing  
powers out-  
side district.

7. Where a local authority have adopted Part Three of the Act of 1890 they may, for supplying the needs of their district, establish or acquire lodging-houses for the working classes outside their district, and they shall have the same powers of borrowing in respect of anything done under this section, as such authority have in respect of acting in execution of the Housing of the Working Classes Acts within their district.

Leases by  
local au-  
thority for

8.—(1) The local authority, with the consent of the Local Government Board, may let on lease, for any period they may think fit, any land acquired by them under and for the purposes

of Part Three of the Act of 1890 to any company, society, or association for the purpose of constructing or improving, or of facilitating or encouraging the construction or improvement of dwellings for the working classes, for the purpose and under the condition that the lessees shall carry the said Act into execution by building and maintaining on the land lodging-houses within the meaning of the Act.

A.D. 1906.  
building  
working  
class houses.

(2) Any lease executed under the powers of this section shall contain all necessary provisions for ensuring the user of the land and buildings for lodging-houses within the meaning of the said Act, and in particular there shall be inserted provisions binding the lessees to build on the land as in the lease prescribed, and repair and maintain the buildings, and securing the user of the buildings exclusively as lodging-houses within the meaning of the Act, and prohibiting any addition to or alteration of the character of the buildings without the consent of the local authority, and also a provision for the re-entry of the local authority on the land on the breach of any of the terms of the lease; and every deed or instrument of demise shall be endorsed with notice of this subsection.

(3) Any such lease as aforesaid shall reserve such rent as the local authority may determine: Provided that the local authority may receive during such period (not exceeding five years) as they may determine, such abated rent in lieu of the rent so reserved as they may think fit.

9.—(1) Without prejudice to any power conferred in that behalf on any local authority by any local Act, a local authority may, during such period (not exceeding ten years) as they may determine, abate or remit the whole, or such proportion as they think fit, of all or any rates struck in respect of any premises erected after the passing of this Act within the district of the authority, for the accommodation of the working classes, provided that the plans of and specifications for such premises shall have been submitted to and approved of by the authority, and that such premises shall be and shall continue to be let to and occupied by persons of the working classes only, and that the rents at which the same shall, from time to time, be let as aforesaid shall have been sanctioned by the authority: Provided that if at any time any such premises are let to or occupied by other persons than such as aforesaid, or at rents not sanctioned as aforesaid, then in every such case any rates so remitted or, as the case may

Remission  
and abate-  
ment of rates  
in certain  
cases.

A.D. 1908. be, the balance of any rates so abated as aforesaid, shall be and become a charge upon the owner's interest in such premises, and, notwithstanding any statute of limitations or other enactment to the contrary, may be recovered from the owner in a court of summary jurisdiction as if the same had not been remitted or 5 abated, as the case may be: Provided also, that any question as to whether any such premises are at any time let to or occupied by persons of the working classes may be determined by the local authority, and their determination shall be final and conclusive. 10

Amendment  
of law as to  
closing and  
demolition  
orders.

10.—(1) Where proceedings are taken by the local authority under section thirty-two of the Act of 1890 for the purpose of causing a dwelling-house to be closed, the court may order such dwelling-house to be demolished within such period as the court may fix, unless, within such period as may be prescribed in the 15 order, such dwelling-house be rendered fit, to the satisfaction of the local authority, for human habitation; and where such demolition order has been made and the dwelling-house is not within the time prescribed by the order either rendered fit to the satisfaction of the local authority for human habitation or 20 demolished, the order shall be carried into effect in manner provided by section thirty-four of the said Act: Provided that where proceedings are taken against the occupier, notice of such proceedings shall be served on the owner.

(2) Section thirty-three of the said Act shall be repealed so 25 far as it is inconsistent with this section.

Power to remove  
part of dwell-  
ings.

11. Section nine of the Act of 1903 shall extend to Ireland.

Amendment  
of Lands  
Clauses Act,  
1845.

12. Section seventy-two of the Lands Clauses Consolidation Act, 1845, as amended by the Second Schedule to the Act of 1890, shall have effect as if "one hundred pounds" were substituted 30 therein for "twenty pounds."

Power of  
bodies cor-  
porate, &c.  
to appro-  
priate or  
grant land  
for housing  
purposes.

13.—(1) Any body corporate may, notwithstanding any restriction arising by statute or otherwise, if they think fit, appropriate any land held by them for any purpose for the provision by them of dwellings available for the working classes, 35 or transfer any land so held by them to any other person for the purpose of that provision, either by way of free grant or for such consideration and on such terms as they in their discretion think fit.



(2) Provided that the exercise of any powers under this provision by a local authority shall be subject to the approval of the Local Government Board.

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(3) The powers exercisable by a body corporate under the foregoing provision may be exercised in the case of land belonging to the Crown by the Commissioners of Woods.

14. A local authority may accept a donation of land or money or other property for any of the purposes of the Housing Acts.

Donations  
for housing  
purposes

15. Notwithstanding anything to the contrary in section ninety-two of the Act of 1890, or in the schedule therein mentioned, the expression "local authority" shall, for the purposes of Part II. of the said Act include any town commissioners for the time being existing for the paving, lighting, or cleansing of that town under any public Act of Parliament or any charter, and the expression "local rate" shall for the same purposes, be any rate which such commissioners have power to impose for the purpose of paving, lighting, cleansing, or otherwise improving the town, and such rate may, for the purposes of the said Part II., be increased with the like consent as is required for the increase of such rate for the purposes of Part III. of the said Act.

Extension to  
certain towns  
of Part II.  
of Act of  
1890.

16. This Act may be cited as the Housing of the Working Classes (Ireland) Act, 1908, and shall be read as one with the Housing of the Working Classes Act, 1890; the Housing of the Working Classes Act, 1893; the Housing of the Working Classes Act, 1894; and the Housing of the Working Classes (Ireland) Act, 1896; and those Acts and this Act may be cited collectively as the Housing of the Working Classes (Ireland) Acts, 1890 to 1908.

Title of Act.

17. "The Act of 1890" means the Housing of the Working Classes Act, 1890.

Interpreta-  
tion of terms.

"The Act of 1900" means the Housing of the Working Classes Act, 1900.

"The Act of 1903" means the Housing of the Working Classes Act, 1903.

The expression "owner" has the same meaning as in the Public Health (Ireland) Act, 1878.

A.D. 1909. The expression "the fund of suitors of the Supreme Court" and "the Lord Chancellor" shall have the same meanings respectively as they have in the Four Courts Library Act, 1894.

Commencement of Act. 18. This Act shall come into operation on the passing thereof.

Extent of Act. 19. This Act shall extend to Ireland only.



# Housing of the Working Classes (Ireland).

A

## BILL

[AS AMENDED BY STANDING COMMITTEE A]

To provide further facilities for the erection of Houses for the Working Classes in Cities and Towns in Ireland.

Enacted by Mr. Rogers,

supported by

Mr. John Redmond, Mr. Clancy,  
Mr. Patrick O'Brien, Mr. Mooney,  
Mr. William O'Brien, Mr. Dillon,  
Mr. Nesbitt, Mr. Joyce, Mr. Hayden,  
Mr. William Redmond, Mr. Davies,  
and Mr. T. M. Healy;

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